

5418. Adulteration and misbranding of oranges. U. S. * * * v. 384 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7969. I. S. No. 11054-m. S. No. C-626.)

On January 13, 1917, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 384 boxes of oranges, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about December 7, 1916, by the Stewart Fruit Co., Reedey, Cal., and transported from the State of California into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Superior Quality * * * Navel Oranges."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

Misbranding was alleged for the reason that the oranges were labeled, "Superior Quality Navel Oranges," whereas examination showed the presence of rotten and badly frosted oranges, and said statement was false and misleading, and deceived and misled the purchaser.

On March 6, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*